

# UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America )

v. )

ANDRE WILLIS )

Case No: 3:94CR126-08

USM No: 09695-058

Date of Previous Judgment: 12/19/1995

Deke Falls

(Use Date of Last Amended Judgment if Applicable)

) Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 41

Amended Offense Level: 39

Criminal History Category: VI

Criminal History Category: VI

Previous Guideline Range: 360 to life months

Amended Guideline Range: 360 to life months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☒ Other (explain): The defendant's revised guideline is 360 months to life, the same as the original guideline range. Because there was no change in the guideline range, the defendant is not eligible for the retroactive reduction.

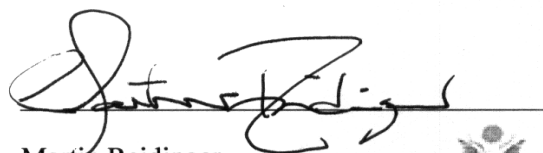
### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 12/19/1995 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: May 23, 2008

Effective Date: \_\_\_\_\_  
(if different from order date)

  
Martin Reidinger  
United States District Judge

